

**To:** Allison Castellan [allison.castellan@noaa.gov]  
**Cc:** CN=Jayne Carlin/OU=R10/O=USEPA/C=US@EPA[]  
**Bcc:** []  
**From:** CN=Don Waye/OU=DC/O=USEPA/C=US  
**Sent:** Tue 9/18/2012 7:56:57 PM  
**Subject:** Re: ANSWER needed on What Other States Have Time of Transfer Program (as a result of CZARA federal requirement)  
<http://www.mass.gov/dep/water/wastewater/buysell.htm>  
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<http://www.epa.gov/r10earth/tmdl.htm>  
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[allison.castellan@noaa.gov](mailto:allison.castellan@noaa.gov)  
<http://coastalmanagement.noaa.gov>  
(embedded image)

Allison (cc Jayne but not Randy),

Thanks for this information. The MA and MD rationales are pretty thin, so I did not know about those point-of-sale inspection requirements.

Maryland did not rely on point-of-sale inspection requirements for approval of this condition, although as you know, in recent years the state has tightened up. I found some information on who is required to perform those inspections (since ~1998, the inspectors needed training and the inspections needed to go beyond visual), but I could not find the actual regs or law that stipulates where or when these inspections apply. Can you let me know where you found that info?

The MA reg seems pretty comprehensive (<http://www.mass.gov/dep/water/wastewater/buysell.htm>). Randy probably has this link, since he lived there previously and mentioned Title 5, but it wouldn't hurt to sent it to him.

I looked into the NH point-of-sale inspection requirement and learned that it is just for waterfront properties within 200 feet of tidal waters, so we should probably pass this along to Randy. Here's the link: <http://www.gencourt.state.nh.us/rsa/html/l/485-a/485-a-mrg.htm>  
Scroll down to section 485-A:39 Waterfront Property Sale; Site Assessment Study.

Don

**From:** Allison Castellan <allison.castellan@noaa.gov>  
**To:** Don Waye/DC/USEPA/US@EPA  
**Cc:** Jayne Carlin/R10/USEPA/US@EPA,  
**Date:** 09/18/2012 01:47 PM

Subject: Re: ANSWER needed on What Other States Have Time of Transfer Program (as a result of CZARA federal requirement)

Randy--

According to my records, MA, NH and MD relied on pt. of sale inspections to meet CZARA requirements. However, I'm not sure if these were developed specifically for CZARA or were already on the books that the states pointed to when developing their CZARA programs. Other states had voluntary programs (like ME) or had requirements for more frequent inspections (3-5 years).

Hope this is helpful.  
Allison

On Tue, Sep 18, 2012 at 12:49 PM, Don Waye <Waye.Don@epamail.epa.gov> wrote:  
Jayne & Randy,

I think Oregon may be the first one; perhaps Allison can verify. I know Iowa has one, but obviously not as a result of CZARA.

Other states have expressed an interest in this approach.

Don Waye  
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Jayne Carlin---09/18/2012 12:44:44 PM---Hi Don and Allison, See Randy's request below. Are either of you able to answer his question? If s

From: Jayne Carlin/R10/USEPA/US  
To: allison.castellan@noaa.gov, Don Waye/DC/USEPA/US@EPA  
Cc: TROX Randall <TROX.Randall@deq.state.or.us>  
Date: 09/18/2012 12:44 PM  
Subject: ANSWER needed on What Other States Have Time of Transfer Program (as a result of CZARA federal requirement)

Hi Don and Allison,

See Randy's request below. Are either of you able to answer his question? If so, please go ahead and send your responses directly to him with a cc to me.

Thanks!

Jayne

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----- Forwarded by Jayne Carlin/R10/USEPA/US on 09/18/2012 09:41 AM -----

From: TROX Randall <TROX.Randall@deq.state.or.us>  
To: Jayne Carlin/R10/USEPA/US@EPA,  
Date: 09/17/2012 05:16 PM  
Subject: Time of transfer Question

Hello Jayne,

We are getting some interest in our time of transfer septic inspection rulemaking. Last Friday, we were invited to testify on the rulemaking to the House Committee on Energy, Environment & Water (the link is an audio file that has the Onsite topic starting approximately at 1:24:00 and is about 45 minutes long). One of the questions were asked that we need to answer is what other states have a Time of transfer program as a result of CZARA federal requirement. Maine has a voluntary inspection program that 'provides assurance to the federal government that the state of Maine has adequate administrative controls relative to subsurface systems'. Since this is a CZARA requirement that existing septic system inspection programs are required to be in place, our legislators want to know what other states have this in due to federal requirements (hopefully not being too redundant). Massachusetts has a Title 5 inspection program that came on in the 90's when I still lived there.

I'm hoping someone in EPA has ready access in their brain to this information request and you maybe know who that someone is. It's worth a shot.

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